

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RAYMOND C. WALEN, JR.,

Plaintiff,

Case no. 06-14201

Hon. John Corbett O'Meara

v.

SPRINT, et al.,

Defendants.

ORDER ACCEPTING MAGISTRATE JUDGE WHALEN'S
REPORT AND RECOMMENDATION

The Court having reviewed Magistrate Judge Whalen's Report and Recommendation, filed January 09, 2008, as well as any objections thereto filed by the parties, and being fully advised in the premises;

IT IS HEREBY ORDERED that the Report and Recommendation is accepted and adopted by this Court.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss [#22], filed April 02, 2007 is GRANTED, and the entity identified as "Sprint" be dismissed.

IT IS FURTHER ORDERED that Embarq Payphone Services, Inc., be substituted for "Sprint" as the real party in interest.

IT IS FURTHER ORDERED that counsel for Embarq file an answer or other responsive pleading within 10 days of this order.

s/John Corbett O'Meara
United States District Judge

Date: February 05, 2008

Certificate of Service

I hereby certify that the foregoing order was served upon the parties of record on February 05, 2008, by electronic and/or U.S. mail.

s/William Barkholz
Case Manager